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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,329	12/12/2003	Shih-Chung Hsu	CU-3490 RJS	1348
26530	7590 06/29/2004		EXAMINER	
LADAS & PARRY 224 SOUTH MICHIGAN AVENUE, SUITE 1200			LEVI, DAMEON E	
CHICAGO,		SOITE 1200	ART UNIT	PAPER NUMBER
			2841	
			DATE MAILED: 06/29/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/734,329 Examin r	Applicant(s) HSU ET AL.	
	<u> </u>	HSU ET AL.	
	Evamin r		
The MAN INC DATE of this communication on	Examin 1	Art Unit	
The MANIINO DATE of this accusation and	Dameon E Levi	2841	
Period for Reply	p ars on the cover sheet w	ith th correspond nce address	
A SHORTENED STATUTORY PERIOD FOR REPUTHE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a report of the provider of	136(a). In no event, however, may a soly within the statutory minimum of thin will expire SIX (6) MOI e, cause the application to become A	reply be timely filed ty (30) days will be considered timely. NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).	
Status			
Responsive to communication(s) filed on 12 I This action is FINAL . 2b) ☐ This action is FINAL . Since this application is in condition for allowed closed in accordance with the practice under	s action is non-final. ance except for formal mat	-	
Disposition of Claims			
4) Claim(s) 12-22 is/are pending in the application 4a) Of the above claim(s) is/are withdray 5) Claim(s) is/are allowed. 6) Claim(s) 12-22 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/	awn from consideration.		
Application Papers			
9)☐ The specification is objected to by the Examin 10)☑ The drawing(s) filed on 12 December 2003 is/ Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11)☐ The oath or declaration is objected to by the E	are: a) accepted or b) contains accepted or b) contains accepted in abeyant action is required if the drawing	nce. See 37 CFR 1.85(a). (s) is objected to. See 37 CFR 1.121(d).	
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Bureat* See the attached detailed Office action for a list	ts have been received. ts have been received in A prity documents have been au (PCT Rule 17.2(a)).	application No. <u>10/140,416</u> . received in this National Stage	
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08 Paper No(s)/Mail Date	Paper No(Summary (PTO-413) s)/Mail Date nformal Patent Application (PTO-152)	

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DETAILED ACTION

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 12-22 are rejected under the judicially created doctrine of obviousnesstype double patenting as being unpatentable over claims 1-11 of U.S. Patent No. 6707665.

Although the conflicting claims are not identical, they are not patentably distinct from each other because although the hook member as claimed in claim 12 of the instant application does not recite the manner in which the at least one engaging end extends through the slots when the first housing is positioned, that feature of the claimed invention is obvious in view of the manner in which the first and second engaging ends extends through the first and upper slots as recited in independent claim 1 of the patent. The same is applicable to independent claim 17 of the instant application as it relates to claim 6 of the patent, as well as, independent claim 22 of the instant application as it relates to independent claim 11 of the patent. Furthermore, the hook controlling member

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and the manner in which it mounted in the housing as recited in independent claims 12,17,and 22, of the instant application are obvious over independent claims 1,6,and 11 of the patent for the same reasons as stated above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dameon E Levi whose telephone number is (571) 272-2105. The examiner can normally be reached on Mon.-Fri. (9:00 - 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David S Martin can be reached on (571) 272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dameon E Levi Examiner Art Unit 2841

DEL

RANDY W. GIBSON PRIMARY EXAMINER